UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

   Arenda Lauretta Wright Allen

   Maiden Name: Arenda Lauretta Wright

2. **Position**: State the position for which you have been nominated.

   United States District Judge for the Eastern District of Virginia

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

   Federal Public Defender's Office for the Eastern District of Virginia
   150 Boush Street, Suite 403
   Norfolk, Virginia 23510

4. **Birthplace**: State year and place of birth.

   1960; Philadelphia, Pennsylvania

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

   1982 – 1985, North Carolina Central University School of Law; J.D., 1985

   1980 – 1982, Kutztown State College; B.A., 1982

   1978 – 1979, Jacksonville University; no degree received (transferred to Kutztown State College)

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2005 – present
Federal Public Defender's Office for the Eastern District of Virginia
150 Boush Street, Suite 403
Norfolk, Virginia 23510
Assistant Federal Public Defender (2005 – 2006)
Supervisory Assistant Federal Public Defender (2006 – present)

1991 – 2005
United States Attorney's Office for the Eastern District of Virginia
101 West Main Street, Suite 8000
Norfolk, Virginia 23510
Assistant United States Attorney

1990 – 1991
United States Attorney's Office for the Western District of Virginia
310 First Street S.W., Room 906
Roanoke, Virginia 24011
Assistant United States Attorney

1988 – 1990
United States Navy
Naval Air and Engineering Center
Building 26, Code 00
Lakehurst, New Jersey 08733
Staff Judge Advocate

1985 – 1988
United States Navy, Judge Advocate General's Corps
Naval Legal Service Office, Building A-50
Norfolk, Virginia 23511
Defense Attorney (1985 – 1988)
Legal Intern (1985)

Summer 1984
National Legal Aid and Defender Association
1140 Connecticut Avenue NW, Suite 900
Washington, DC 20036
Legal Intern

Summer 1983
District Attorney, City of Philadelphia
Three South Penn Square
Philadelphia, Pennsylvania 19107
Clerk/Messenger

Summer 1982
American Foundation of Negro Affairs, Inc.
117 S. 17th Street, Suite 1200
Philadelphia, Pennsylvania 19103
Student Counselor

Other Affiliations

1992 – 2005
United States Navy Reserves, Judge Advocate General's Corps
NR LSO
Mid-Atlantic 207
Raleigh, North Carolina 27615
Legal Assistance Attorney and Claims Attorney

2002 – 2005
Park Place Child Life Center
104 West Arden Circle
Norfolk, Virginia 23505
Board Member (uncompensated)

7. **Military Service and Draft Status**: Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

   I served actively in the United States Navy, Judge Advocate General's Corps, from September 1985 to June 1990. I was commissioned as an Ensign in February 1985. I was promoted to Lieutenant (Junior Grade) in December 1985. I was promoted to Lieutenant in November 1986. I left active duty in June 1990 and was an inactive member of the United States Navy Reserves until June 1992.

   I served as an active reservist in the United States Navy Reserves from June 1992 to December 2005. In July 1992, I was promoted to Lieutenant Commander. In November 1997, I was promoted to Commander. In December 2005, I was honorably discharged after twenty years of combined active and reserve service.

   I was not required to register for selective service.

8. **Honors and Awards**: List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

   June 1988, Letter of Appreciation for Work Done, re: Federal Tort Claims Act and Medical Care Recovery Act, from Captain H.E. Grant, USN

November 1988, Navy Achievement Medal for Professional Achievement in the Performance of Defense Counsel Duties, from Rear Admiral W.L. Schachte, Jr., USN

October 1993, Senior Judge Advocate Naval Reserve Commendation for Exceptional Dedication and Loyal Service to the United States Naval Reserves

September 1995, U.S. Attorney General's Special Achievement Award in Appreciation and Recognition of Meritorious Acts, U.S. Department of Justice

July 1997, U.S. Department of Justice, Recognition for Outstanding Prosecutive Skills, from Director Louis J. Freeh, Federal Bureau of Investigation

October 1997, Resolution of Appreciation from Board of Supervisors, James City County

April 1998, Sustained Superior Performance Award from United States Attorney Helen F. Fahey, United States Attorney's Office, Eastern District of Virginia

April 1999, Special Act Award from United States Attorney Helen F. Fahey, United States Attorney's Office, Eastern District of Virginia

April 2002, Performance Award from Paul J. McNulty, United States Attorney, Eastern District of Virginia

August 2002, Recognition for Outstanding Prosecutive Skills, from Director Robert S. Mueller, III, Federal Bureau of Investigation

September 2004, Cash Award, from Paul J. McNulty, United States Attorney, Eastern District of Virginia

I also have received numerous letters of appreciation and other awards for prosecutions, including from the U.S. District Court for the Eastern District of Virginia, the U.S. Attorney's Office for the Western District of Virginia, the Federal Bureau of Investigation, the U.S. Secret Service, the United States Marshals Service, the Department of Energy, the United States Customs Service, the National Aeronautics and Space Administration, the United States Postal Inspection Service, and the Commonwealth of Virginia's Judicial Inquiry and Review Commission.

9. **Bar Associations**: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Federal Bar Association, 2000 – 2001

I'Anson-Hoffman American Inn of Courts, Member, 1992 – 2000

Fourth Circuit Judicial Conference, Guest and Permanent Member, 2003 – present

10. **Bar and Court Admission**:

a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

   Pennsylvania, 1985 (presently on inactive status)
   Virginia, 1994

   There have been no lapses in membership.

b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

   United States Court of Appeals for the Fourth Circuit, 1990
   United States District Court for the Eastern District of Virginia, 1991
   United States District Court for the Western District of Virginia, 1990
   Supreme Court of Pennsylvania, 1985
   Virginia Supreme Court, 1993

   There have been no lapses in membership.

11. **Memberships**:

a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

   Park Place Family Life Center, Member of Board of Directors, 2002 – 2005

b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

   To my knowledge, the organization listed in 11a does not presently discriminate and to the best of my knowledge, did not formerly discriminate on the basis of race, sex, religion, or national origin.

12. **Publisbed Writings and Public Statements**:

a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

   None that I recall or have been able to identify.

b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

   None that I recall or have been able to identify.

c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

   None that I recall or have been able to identify.

d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

   William & Mary School of Law, Lunch with Lawyers, Careers in Criminal Law, February 1, 2007. I have no notes, transcript or recording. Press report supplied. On several other occasions, I spoke to law school classes at William & Mary School of Law and Regent University School of Law on the topic of government careers, but I do not recall the dates of these informal talks. I spoke extemporaneously, and have no notes, transcripts or recordings. This talk is the only one for which I have located a press report.

   U.S. Attorney's Office for the Eastern District of Virginia, introductory remarks at awards reception, June 22, 1999. I have no notes, transcript or recording. Press report supplied. These receptions were held yearly or every other year during my tenure in the Office. I typically introduced award recipients at these events, but I have no notes, transcript or recording. This is the only event for which I have located a press report.

Frank W. Cox High School, Federal Justice System Lecture, November 1997. I have no notes transcript or recording. The address of Cox High School is 2425 Shorehaven Drive, Virginia Beach, Virginia 23454.

I have spoken at Old Dominion University, Regent University, William and Mary Law School, and local high schools, discussing topics including the dangers of drugs and guns, threats to children on the internet, legal careers in the federal government, and legal careers in the United States Navy. I presented primarily to students attending these institutions and spoke based on my background and professional experiences. I do not have the dates of these presentations, and I do not have any notes, transcripts, or recordings of my remarks. As far as I am aware, there was no press coverage of these speeches. The addresses of the groups before whom I have spoken are:

Old Dominion University
Department of Political Science – Pre Law
3030 Batten Arts and Letters (BAL)
Old Dominion University
Norfolk, VA 23529

Regent University
School of Law
1000 Regent University Drive
Virginia Beach, VA 23464

William and Mary School of Law
613 South Henry St.
Williamsburg, VA 23185

Frank W. Cox High School
2425 Shorehaven Drive
Virginia Beach, VA 23454

Hickory High School
1996 Hawk Blvd.
Chesapeake, VA 23322

Granby High School
7101 Granby Street
Norfolk, VA 23505

First Presbyterian Church
820 Colonial Ave
Norfolk, VA 23507

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

   Ray Cox, *Criminal Record Doesn't Cost Boyd*, The Roanoke Times, at C1, Oct. 11, 2006. Copy supplied.

   Jim Washington, *He's Revered Around the World*, The Virginian-Pilot, at E1, Feb. 17, 2005. Copy supplied.

   Lynn Waltz, *Brotherhood of the Gun Runners*, The Virginian-Pilot, at A1, Sept. 8, 1996. Copy supplied.

13. **Judicial Office**: State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have not held judicial office.

a. Approximately how many cases have you presided over that have gone to verdict or judgment? ______

   i. Of these, approximately what percent were:

jury trials:	___%
bench trials:	___% [total 100%]
civil proceedings:	___%
criminal proceedings:	___% [total 100%]

b. Provide citations for all opinions you have written, including concurrences and dissents.

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

e. Provide a list of all cases in which certiorari was requested or granted.

f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not served as a judge.

a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;

b. a brief description of the asserted conflict of interest or other ground for recusal;

c. the procedure you followed in determining whether or not to recuse yourself;

d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **Public Office, Political Activities and Affiliations**:

a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have not held public office. I have had no unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

None.

16. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not served as a clerk to a judge.

ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced law alone.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

1985 – 1990
United States Navy, Judge Advocate General's Corps
Naval Air and Engineering Center
Building 26, Code 00
Lakehurst, New Jersey 08733
Staff Judge Advocate

1990 – 1991
United States Attorney's Office for the Western District of Virginia
310 First Street South West, Room 906
Roanoke, Virginia 24011
Assistant United States Attorney

1991 – 2005
United States Attorney's Office for the Eastern District of Virginia
101 West Main Street, Suite 8000
Norfolk, Virginia 23510
Assistant United States Attorney

1992 – 2005
United States Navy Reserves, Judge Advocate General's Corps
NR LSO Mid-Atlantic 207
Raleigh, North Carolina 27615
Legal Assistance and Claims Attorney

2005 – present
Federal Public Defender's Office for the Eastern District of Virginia
150 Boush Street, Suite 403
Norfolk, Virginia 23510
Assistant Federal Public Defender (2005 – 2006)
Supervisory Assistant Federal Public Defender (2006 – present)

iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

i. the general character of your law practice and indicate by date when its character has changed over the years.

Since December 2005, I have represented clients charged with violations of the federal criminal code, including but not limited to: capital murder; conspiracy/distribution/possession with intent to distribute and possession of cocaine, "crack" cocaine, methamphetamine, heroin, and marijuana; firearm offenses; bank fraud; wire fraud; mail fraud; money laundering; immigration matters; and the production, receipt, distribution and possession of child pornography. Since May 2006, I have also performed the duties of Supervisory Assistant Federal Public Defender. In addition to carrying a full caseload, I supervise six lawyers, two investigators, two paralegals, and the branch manager.

Prior to becoming a defense attorney, I was an Assistant United States Attorney in the Eastern District of Virginia for 15 years and the Western District of Virginia for a year and a half. As an Assistant United States Attorney in the Eastern District of Virginia's Norfolk office, I was an advocate for the United States and prosecuted those who had violated the federal code in cases including, but not limited to: death penalty eligible murders committed during a continuing criminal enterprise; narcotics conspiracies; money laundering; firearm offenses; mail fraud; insurance fraud; violent crime; exportation of munitions list items; tax violations; environmental crimes; and the production, receipt, distribution, and possession of child pornography. During this time, I was also the supervisor of the Special Assistant United States Attorney's Unit for two years.

As an Assistant United States Attorney in the Western District of Virginia's Roanoke office for 18 months, I handled civil cases in addition to criminal cases. During this time, I prosecuted defendants charged with violating the federal criminal code and I had 16 jury trials. All of the defendants in those cases were convicted and received appropriate sentences. I also represented various U.S. government agencies in civil matters involving: the Federal Torts Claims Act; Federal Crop Insurance Corporation; Farmer's Home Administration; Department of Energy; Small Business Administration; Veterans Administration; National Health Service Corps; and Department of Education.

Finally, while in the United States Navy from 1985 through 2005, I performed a number of roles. For two years, I defended members of the military before juries and judges in cases involving assaults, conspiracy to commit murder, mutiny, arson, forgery, thefts, and drug distribution offenses. I also defended military members being separated administratively from the Navy. Finally, I trained, evaluated and provided professional development for three trial defense attorneys. For three years, I served as the sole legal advisor to Captain J.R. McDonald, Commanding Officer of the Naval Air and Engineering Center in Lakehurst, New Jersey. While there, I handled all criminal, disciplinary, and administrative matters pertaining to the 250 military command; managed the legal assistant office and provided legal advice to active duty members, their dependents, and retirees; investigated and adjudicated personal and property claims submitted by military members; directly oversaw and coordinated the federal facilities inter-agency agreement between the naval base and the New Jersey EPA; and served as a member of the CERCLA Technical Review Committee and National Priorities List meetings. During my 15 years in the reserves, I held the positions of

Training Officer and Executive Officer. During this time, I provided legal assistance to military dependents and retirees in civil areas, including separation and divorce, child support issues, civilian criminal matters, contract disputes, landlord-tenant disputes, adoption and name changes, debtor/creditor issues, and any other legal issues presented by military members, their dependents and retirees. I also prepared memoranda of law regarding the Federal Tort Claims Act involving medical malpractice, personal injury and negligence claims. Finally, I provided legal services and defense attorney representation to fleet and shore commands.

ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

As a defense attorney, I have represented indigent clients facing felony criminal prosecution.

As a prosecutor, I represented the U.S. Government in criminal prosecutions. During my later years, I specialized in prosecuting pedophiles.

As a U.S. Navy attorney, I represented the United States, including providing services to sailors, officers, military dependants, and retirees.

c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

As a federal public defender since 2005, I have appeared in federal court weekly.

As a federal prosecutor for 17 years, I appeared in federal court weekly.

As a U.S. Navy attorney, for two years of my service, I appeared weekly in military courts and before administrative discharge boards.

i. Indicate the percentage of your practice in:

1. federal courts: 95%
2. state courts of record:
3. other courts: 5%
4. administrative agencies:

ii. Indicate the percentage of your practice in:

1. civil proceedings: 30%
2. criminal proceedings: 70%

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I had many jury trials as a new attorney defending military members during my first two years on active duty in the U.S. Navy. As a federal prosecutor in the U.S. Attorney's Office for the Western District of Virginia in Roanoke, Virginia, I had 16 felony jury trials during my 18-month tenure. During my 15 years as a federal prosecutor in the U.S. Attorney's Office for the Eastern District of Virginia in Norfolk, Virginia, I carried approximately 30 cases per year and prosecuted, before juries, a variety of defendants charged with violating a variety of federal felonies, including death penalty eligible offenses. During this time, I estimate that I tried approximately 30 cases to verdict, acting as sole counsel in most of these cases. In addition, I second-chaired approximately 16 felony trials conducted by military attorneys in my role as supervisor of the Special Assistant United States Attorney's Unit. As a federal public defender since 2005, I have represented approximately 500 clients facing felony charges, including charges punishable by death and life imprisonment.

i. What percentage of these trials were:

1. jury: 10%
2. non-jury: 90%

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the Supreme Court of the United States.

17. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

a. the date of representation;

b. the name of the court and the name of the judge or judges before whom the case was litigated; and

c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *United States v. Gooding*, 67 F.3d 297, 1995 U.S. App. LEXIS 32423 (4th Cir. Sept. 11, 1995) (1994-1995). I tried this case with Robert Seidel, Supervisory Assistant United States Attorney. Nine defendants were charged with murdering Alma Baker and Wayne Ashley, as the defendants distributed volumes of crack cocaine from a stash house in Norfolk, Virginia. After a 42-day trial before the Honorable Henry Coke Morgan of the U.S. District Court for the Eastern District of Virginia, all of the defendants were convicted of either conspiracy to distribute cocaine, distributing cocaine, engaging in a Continuing Criminal Enterprise ("CCE"), murder in furtherance of a CCE, making a place available for distribution of cocaine, or being a convicted felon in possession of a firearm. After conviction, I asked for the death penalty against the three death penalty eligible defendants, which the jury rejected. The defendants were sentenced to life. The Fourth Circuit affirmed the convictions and sentences in a *per curiam* decision issued by Circuit Judges Hamilton, Michael, and Motz.

   Robert J. Seidel, Co-counsel
   Supervisory Assistant United States Attorney
   8000 World Trade Center
   101 West Main Street
   Norfolk, VA 23510
   (757) 441-6331

   David Bouchard, Opposing Counsel
   3802 Poplar Hill Road, Suite A
   Chesapeake, VA 23321
   (757) 484-8388

   Lawrence Woodward, Opposing Counsel
   4525 South Boulevard, Suite 300
   Virginia Beach, VA 23452
   (757) 671-6047

   Duncan R. St. Clair, III, Opposing Counsel
   2317 East Little Creek Road
   Norfolk, VA 23518
   (757) 480-9510

   Danny Shipley, Opposing Counsel
   First Virginia Bank Building
   555 East Main Street, Suite 1410
   Norfolk, VA 23510
   (757) 627-9902

Walter Dalton, Opposing Counsel
150 Boush Street, Suite 403
Norfolk, VA 23510
(757) 457-0800

2. *United States v. Haley*, 1993 U.S. App. LEXIS 11777 (4th Cir. May 20, 1993) (1992-1993). I represented the United States in a case in which the defendant was charged with conspiracy to assault a federal officer and aiding and abetting the use of a firearm during a crime of violence. The trial was conducted before the Honorable John A. MacKenzie of the U.S. District Court for the Eastern District of Virginia, and the jury convicted on all three counts. The Fourth Circuit affirmed the conviction in a *per curiam* decision issued by Circuit Judges Russell, Hall, and Sprouse.

   James Broccoletti, Opposing Counsel
   6663 Stoney Point South
   Norfolk, VA 23502
   (757) 466-0750

3. *United States v. Johnson*, 996 F.2d 1213, 1993 U.S. App. LEXIS 15324 (4th Cir. June 24, 1993) (1992-1993). I represented the United States in the prosecution of Mr. Johnson, who was charged in a seven-count indictment with four counts of inducing false statements to be made to a federally licensed firearms dealer and three counts of possession of a firearm by a convicted felon. Following a jury trial before the Honorable Richard B. Kellam of the U.S. District Court for the Eastern District of Virginia, the defendant was convicted on six of the seven counts. The Fourth Circuit affirmed the conviction in a *per curiam* decision issued by Circuit Judges Hall, Phillips, and Williams.

   Leon Sarfan, Opposing Counsel
   225 28th Street
   Newport News, VA 23607
   (757) 247-5861

4. *United States v. Langley*, 62 F.3d 602 (4th Cir. 1995) (1992-1995). I represented the United States in the prosecution of Mr. Langley, who was charged with making false statements to a federally licensed firearms dealer. Following a jury trial before the Honorable Robert G. Doumar the United States District Court for the Eastern District of Virginia, he was convicted. On appeal, the Fourth Circuit affirmed the conviction in a published opinion, following an *en banc* rehearing.

   Walter Dalton, Opposing Counsel
   150 Boush Street, Suite 403
   Norfolk, VA 23510
   (757) 457-0800

5. *United States v. Spruill*, 118 F.3d 221 (4th Cir. 1997) (1995-1997). I represented the United States in the prosecution of Mr. Spruill and in his subsequent appeal. The defendant was charged with three counts of violating 18 U.S.C. § 844(e), making threatening telephone calls to federal employers. Following a bench trial before the Honorable Robert G. Doumar of the U.S. District Court for the Eastern District of Virginia, the defendant was convicted. Mr. Spruill appealed and the Fourth Circuit affirmed in part and reversed in part. On an issue of first impression, the court held that a statutory element of the offense is that the threat would be carried out by means of fire or explosive; because that element was not charged in the indictment, those convictions were vacated. Circuit Judges Michael, Wilkins and Butzner heard the case.

   David Boushard, Opposing Counsel
   3802 Poplar Hill Road, Suite A
   Chesapeake, VA 23321
   (757) 484-8388

6. *United States v. Nanda*, 178 F.3d 1287, 1999 U.S. App. LEXIS 9028 (4th Cir. May 11, 1999) (1997-1999). I represented the United States in the prosecution of Mr. Nanda and in his subsequent appeal. Following a jury trial before the Honorable Raymond A. Jackson of the U.S. District Court for the Eastern District of Virginia, Mr. Nanda was convicted of knowingly receiving materials depicting minors engaged in sexually explicit conduct, and sentenced to 33 months in prison. On appeal, he contended that the district court erred in denying his motions to suppress, in admitting into evidence under Rule 404(b) additional images of child pornography and records of chat-room dialogues with purported minors found on his computer, and in denying his motion for a mistrial. Mr. Nanda also argued that the court committed various errors in calculating his sentence. The Fourth Circuit affirmed Mr. Nanda's conviction and sentence in a *per curiam* opinion issued by Circuit Judges Wilkinson, Hamilton, and Williams.

   Andrew Sacks, Opposing Counsel
   150 Boush Street, Suite 501
   Norfolk, VA 23510
   (757) 623-2753

7. *United States v. Smith*, 373 F.3d 561 (4th Cir. 2004) (2003-2004). I represented the United States in the prosecution of Mr. Smith and in his subsequent appeal. Mr. Smith was charged with embezzling, stealing, purloining, and converting to his own use funds belonging to the Social Security Administration. Following trial before the Honorable Henry Coke Morgan in the United States District Court for the Eastern District of Virginia, the defendant was convicted. The Fourth Circuit affirmed in a *per curiam* opinion issued by Circuit Judges Luttig and Michael, and Judge Quarles of the U.S. District Court for the District of Maryland sitting by designation.

Nia Ayanna Vidal, Opposing Appellate Counsel
830 E. Main Street, Suite 1100
Richmond, VA 23219
(804) 343-0800

8. *United States v. Lavi*, 2:98cr60 (E.D. Va. Dec. 17, 1998). From February 1998 to December 1998, I prosecuted four defendants for conspiracy to attempt to export munition list items, F-14 aircraft parts, from the United States to Iran via Denmark, without first obtaining a license of approval from the Department of State. The investigation involved years of taped telephone recordings between the co-conspirators. Search warrants were executed in New York, Virginia, California, and in Denmark. Two defendants pled guilty, one was convicted by a jury, and the other remains a fugitive.

   Franklin A. Swartz, Opposing Counsel
   Town Point Center, Suite 800
   150 Boush Street
   Norfolk, VA 23514
   (757) 616-2417

9. *United States v. Torrence*, 2:06cr160 (E.D. Va. Oct.9, 2007) (2006-2007). I represented Ms. Torrence who was prosecuted for the interstate murder of her boyfriend's mother. Ms. Torrence faced the federal death penalty. I negotiated a plea bargain for Ms. Torrence with the U.S. Attorney's Office for the Eastern District of Virginia which resulted in the U.S. Government agreeing not to seek the death penalty. The Honorable Raymond Jackson of the U.S. District Court for the Eastern District of Virginia sentenced Ms. Torrence to 42 years in prison.

   Laura Tayman, Opposing Counsel
   United States Attorney's Office
   Fountain Plaza Three
   721 Lake Front Commons, Suite 300
   Newport News, VA 23606
   (757) 591-4000

   James Broccoletti, Co-counsel
   6663 Stoney Point South
   Norfolk, Virginia 23502
   (757) 466-0750

10. *United States v. Pinder*, 2007 WL 1597787 (E.D.V.A. June 1, 2007). From February 2007 to June 2007, I represented Mr. Pinder in a case in which he was charged with possession with intent to distribute narcotics, firearm offenses, and copyright infringement. He was facing a minimum mandatory sentence of five years and a maximum of life. I filed a motion to suppress arguing that the police violated Mr. Pinder's Fourth Amendment rights. Following a lengthy motions

hearing, which included the testimony of several police officers and Mr. Pinder (who had several felony convictions), the Honorable Raymond Jackson rejected the testimony of the police officers and found that there was no justification for the protective sweep, that the officers lacked probable cause, the officers had no reasonable belief that the evidence would be destroyed, there was no exigency, the search warrant lacked probable cause, and that the "good faith exception" did not apply. The U.S. Government dismissed the charges against Mr. Pinder. Mr. Pinder thereafter was successful in obtaining a civil judgment against the police department.

Andy Robbins (formerly with the United States Attorney's Office), Opposing Counsel
Office of the Commonwealth Attorney
430 Crawford Street
Portsmouth, VA 23704
(757) 393-8581

18. **Legal Activities**: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

As a federal defense attorney, I educate my clients about the federal criminal justice system and do everything in my power to help them understand and appreciate the consequences of their future choices if they are ever returned to society and if they ever violate the state, local, or federal laws again.

As a federal prosecutor, I represented the U.S. Government and spent time outside of the office speaking to children about the dangers of violent crime and drugs. After I started prosecuting pedophiles, I focused on educating members of our community about the dangers of pedophiles who use the Internet to exploit children.

I have performed no lobbying activities on behalf of any client or organization.

19. **Teaching**: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have not taught any courses during my career.

20. **Deferred Income/ Future Benefits**: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted

contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

21. **Outside Commitments During Court Service**: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

    If I am confirmed, I have no plans, commitments, or agreements to pursue outside employment, with or without compensation, during my service with the court.

22. **Sources of Income**: List sources and amounts of all income received during the calendar year receding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding $500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

    See attached Financial Disclosure Report.

23. **Statement of Net Worth**: Please complete the attached financial net worth statement in detail (add schedules as called for).

    See attached Net Worth Statement.

24. **Potential Conflicts of Interest**:

    a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

       If confirmed, a conflict of interest would arise in any case involving any person who was my client or for whose case I had supervisory responsibility as an Assistant Federal Public Defender. A conflict would also arise in any case involving a litigant whom I previously prosecuted as an Assistant United States Attorney, though I anticipate such cases would be rare due to the passage of time. In any case that falls into these categories, I would recuse myself.

    b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

       I would carefully evaluate each case for any conflict or potential appearance of a conflict, and I would follow the recusal statutes and Canon 3 of the Code of

Conduct for United States Judges in determining the appropriate resolution of any such issues.

25. **Pro Bono Work**: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

    I have served the disadvantaged by participating in our church's soup kitchen lunches, by participating in the Norfolk Emergency Shelter Team (NEST) program, which provides meals and shelter to the homeless during the winter months, and by providing financial and other direct support to individuals in need.

    I have assisted with the Park Place Child Life Center, which seeks to transform the lives of economically disadvantaged inner city children, through arts-based programs designed to advance literacy and encourage a lifetime love of reading and the arts.

    I have participated in the Tree of Lives Program in Kenya, providing financial support, clothing, and materials for children and women infected with HIV and AIDS.

    In 2010, I worked with Operation Nehemiah, serving New Orleans Katrina victims, by gutting and re-building houses and chaperoning children from my older son's school, who played jazz for Katrina victims.

    As an Assistant Federal Public Defender, my full-time legal work is in serving indigent persons accused of crimes. In addition, I have sought to participate in serving the disadvantaged in our community in both legal and non-legal ways.

26. **Selection Process**:

    a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

       Virginia does not have a judicial selection commission to recommend candidates for nomination to the federal courts. Instead, local and state bar associations interview candidates and make recommendations to Virginia's U.S. Senators.

On April 19, 2010, I interviewed with the Virginia State Bar Judicial Nominations Committee. On May 20, 2010, I met with various staff members working for Senator James Webb and Senator Mark Warner. On June 17, 2010, I interviewed with Senator Webb and Senator Warner. On June 29, 2010, I was contacted by a member of Senator Webb's staff who informed me that I was being recommended to the President.

Since July 20, 2010, I have been in contact with pre-nomination officials at the U.S. Department of Justice. I interviewed in Washington, D.C., with attorneys from the White House Counsel's Office and the Department of Justice on September 15, 2010. On December 1, 2010, the President submitted my nomination to the Senate.

b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No

AO 10*
Rev. 1/2010

FINANCIAL DISCLOSURE REPORT
NOMINATION FILING

Report Required by the Ethics in Government Act of 1978 (5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Wright Allen, Arenda L.	**2. Court or Organization** U.S. District Court for the Eastern District of Virginia	**3. Date of Report** 12/01/2010
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) Federal District Judge	**5a. Report Type** (check appropriate type) ☑ Nomination, Date 12/01/2010 ☐ Initial ☐ Annual ☐ Final **5b.** ☐ Amended Report	**6. Reporting Period** 01/01/2009 to 11/01/2010
7. Chambers or Office Address Federal District Court 600 Granby St Norfolk, VA 23510	**8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations.** Reviewing Officer________ Date______	

***IMPORTANT NOTES:** The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information. Sign on last page.*

I. POSITIONS. *(Reporting individual only; see pp. 9-13 of filing instructions.)*

☑ NONE *(No reportable positions.)*

	POSITION	NAME OF ORGANIZATION/ENTITY
1.		
2.		
3.		
4.		
5.		

II. AGREEMENTS. *(Reporting individual only; see pp. 14-16 of filing instructions.)*

☑ NONE *(No reportable agreements.)*

	DATE	PARTIES AND TERMS
1.		
2.		
3.		

Name of Person Reporting	Date of Report
Wright Allen, Arenda L.	12/01/2010

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)*

A. Filer's Non-Investment Income

☑ NONE *(No reportable non-investment income.)*

	DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1.			
2.			
3.			
4.			

B. Spouse's Non-Investment Income – *If you were married during any portion of the reporting year, complete this section.*

(Dollar amount not required except for honoraria.)

☐ NONE *(No reportable non-investment income.)*

	DATE	SOURCE AND TYPE
1.	10/31/2010	Norfolk Christian School - Salary
2.		
3.		
4.		

IV. REIMBURSEMENTS – *transportation, lodging, food, entertainment.*

(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)

☑ NONE *(No reportable reimbursements.)*

	SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1.					
2.					
3.					
4.					
5.					

Name of Person Reporting	Date of Report
Wright Allen, Arenda L.	12/01/2010

V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*

☑ NONE *(No reportable gifts.)*

	SOURCE	DESCRIPTION	VALUE
1.			
2.			
3.			
4.			
5.			

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*

☐ NONE *(No reportable liabilities.)*

	CREDITOR	DESCRIPTION	VALUE CODE
1.	Navy Federal Credit Union	Credit card	K
2.	Ameircan Express	Credit card	J
3.	Bank of America	Credit Card	J
4.	Chase	Credit Card	J
5.			

Name of Person Reporting	Date of Report
Wright Allen, Arenda L.	12/01/2010

VII. INVESTMENTS and TRUSTS – *income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)*

☑ NONE *(No reportable income, assets, or transactions.)*

A. Description of Assets (including trust assets)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
Place "(X)" after each asset exempt from prior disclosure	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									

1. Income Gain Codes: (See Columns B1 and D4)	A =$1,000 or less F =$50,001 - $100,000	B =$1,001 - $2,500 G =$100,001 - $1,000,000	C =$2,501 - $5,000 H1 =$1,000,001 - $5,000,000	D =$5,001 - $15,000 H2 =More than $5,000,000	E =$15,001 - $50,000
2. Value Codes (See Columns C1 and D3)	J =$15,000 or less N =$250,001 - $500,000 P3 =$25,000,001 - $50,000,000	K =$15,001 - $50,000 O =$500,001 - $1,000,000	L =$50,001 - $100,000 P1 =$1,000,001 - $5,000,000 P4 =More than $50,000,000	M =$100,001 - $250,000 P2 =$5,000,001 - $25,000,000	
3. Value Method Codes (See Column C2)	Q =Appraisal U =Book Value	R =Cost (Real Estate Only) V =Other	S =Assessment W =Estimated	T =Cash Market	

Name of Person Reporting	Date of Report
Wright Allen, Arenda L.	12/01/2010

VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of Report.)*

Name of Person Reporting	Date of Report
Wright Allen, Arenda L.	12/01/2010

IX. CERTIFICATION.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature Arenda L. Wright Allen

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544

Arenda Allen

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks		2	000	Notes payable to banks-secured			
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities—Pitney Bowes shares			579	Notes payable to relatives			
Unlisted securities				Notes payable to others (auto loans)		30	434
Accounts and notes receivable:				Accounts and bills due		46	500
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable – personal residence		248	000
Real estate owned—personal residence		592	100	Chattel mortgages and other liens payable			
Real estate mortgages receivable		.		Other debts-itemize:			
Autos and other personal property		28	000				
Cash value-life insurance		6	167				
Other assets itemize:							
- Thrift Savings Plan		408	144				
				Total liabilities		324	934
				Net Worth		712	056
Total Assets	1	036	990	Total liabilities and net worth	1	036	990
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)	NO		
On leases or contracts				Are you defendant in any suits or legal actions?	NO		
Legal Claims				Have you ever taken bankruptcy?	NO		
Provision for Federal Income Tax							
Other special debt							

*On November 23, 2010, I made arrangements to refinance my mortgage and pay off my debts. I anticipate closing within the next 30 days, at which time my only liability will be my real estate mortgage.

AFFIDAVIT

I, **ARENDA LAURETTA WRIGHT ALLEN**, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

November 29, 2010
(DATE)

Arenda L Wright Allen
(NAME)

Diane Liedman
(NOTARY)

348592 exp. 4-30-2012

City/County of NORFOLK
Commonwealth of Virginia
Sworn to and subscribed before me this 29th
day of NOV, 2010
Witness my hand and official seal
____________________ Notary Public